UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X

AARON ABADI, : Case No. 1:23-cv-04033-LJL

Plaintiff,

- against -

AMERICAN AIRLINES GROUP INC., et al, :

Defendants. :

------x

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law dated January 8, 2024 and upon all prior pleadings and proceedings in this action, Defendant Miguel Morel hereby moves this Court under Rule 12 of the Federal Rules of Civil Procedure for an Order dismissing the Complaint on the grounds that it fails to state a claim for which relief may be granted and that the Court lacks personal jurisdiction.

PLEASE TAKE FURTHER NOTICE that opposing papers and affidavits, if any, are to be served on or before February 5, 2024, in accordance with the Court's Individual Practice Rule 2(K). Pursuant to the Court's Individual Rule of Practice 2(I), Defendant and Plaintiff have agreed to the following page limits for briefing: (1) 47 pages for the opening Memorandum of Law; (2) 47 pages for Plaintiff's Opposition; and (3) 25 pages for Defendant's Reply.

Dated: New York, New York January 8, 2024 ONDON & FORSYTH LLP

BY:

Jonathan E. DeMay Jdemay@condoulaw.com

Zachary Groendyk

zgroendyk@condonlaw.com 7 Times Square, 18th Floor New York, New York 10036 (212) 490-9100

Attorneys for Defendant Miguel Morel

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT)
) ss
SOUTHERN DISTRICT OF NEW YORK)

Matthew Aisenberg, duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides in New York, New York. That on the 8th day of January 2024, deponent served a copy of the within **NOTICE OF MOTION**TO DISMISS with supporting MEMORANDUM OF LAW upon:

Aaron Abadi, pro se 82 Nassau Street, Apt. 140 New York, NY 10038

via ECF filing and at the address designated by said pro se litigant for that purpose by depositing same enclosed in a properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Matthew Aisenberg

Sworn to before me this

8th day of January, 2024

Notary Public

HEATHER L. JACKSON
Notary Public, State of New York
No. 01JA6321326
Qualified in Nassau County
Commission Expires March 16, 20